

### REMARKS

The specification and claims of the present application have been amended to recite the Patent Deposit Designation numbers for two biological deposits included in the original application in accordance with 37 CFR § 1.809. As stated at page 52 of the application as filed, these deposits to the ATCC were made in accordance with the Budapest Treaty. Attached are copies of the ATCC receipts that attest to the viability of the deposited cultures.


These changes are believed to introduce no new matter, and their entry is respectfully requested.

### CONCLUSION

Applicants believe that the application is in good and proper condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 463-8109.

Respectfully submitted,

Date: March 16, 2004

  
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Albert P. Halluin (Reg. No. 25,227)  
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**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

**INTERNATIONAL FORM**

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.**

To: (Name and Address of Depositor or Attorney)

Protein Design Labs, Inc.  
Richard Murray  
334801 Campus Drive  
Fremont, CA 94555

Deposited on Behalf of: Protein Design Labs, Inc.

**Identification Reference by Depositor:**

Murine Hybridoma Cell Line: OAM6 #81  
Murine Hybridoma Cell Line: BR2 #14  
Murine Hybridoma Cell Line: BR2 #19  
Murine Hybridoma Cell Line: BR2 #23

**Patent Deposit Designation**

PTA-5703  
PTA-5705  
PTA-5706  
PTA-5707

The deposits were accompanied by:     a scientific description, a proposed taxonomic description indicated above. The deposits were received December 19, 2003 by this International Depository Authority and have been accepted.

**AT YOUR REQUEST:   X** We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested January 6, 2004. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris  
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: January 28, 2003

cc: Al Halluin

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Howley - SV

**ATCC**

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE****INTERNATIONAL FORM****RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2****To: (Name and Address of Depositor or Attorney)**Protein Design Labs, Inc.  
Richard Murray  
334801 Campus Drive  
Fremont, CA 94555**Deposited on Behalf of:** Protein Design Labs, Inc.**Identification Reference by Depositor:**

Murine Hybridoma Cell Line: OAM6 #93

**Patent Deposit Designation**

PTA-5704

The deposit was accompanied by:     a scientific description     a proposed taxonomic description indicated above.The deposit was received December 19, 2003 by this International Depository Authority and has been accepted.**AT YOUR REQUEST:**   X   We will inform you of requests for the strain for 30 years.

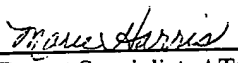
The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent &amp; Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested January 8, 2004. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

**Signature of person having authority to represent ATCC:**  
Marie Harris, Patent Specialist, ATCC Patent Depository**Date:** January 28, 2004

cc: Al Halluin